

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VIDAL McGEE,

No. C 09-2522 WHA (PR)

Plaintiff,

**ORDER OF DISMISSAL**

v.

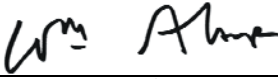
Correctional Officer BEERS, et al.,

Defendants.

This is a civil rights action filed pro se by a state prisoner. The court notified plaintiff that he had neither paid the \$350 filing fee nor applied for leave to proceed in forma pauperis ("IFP"). A copy of the court's form for applications to proceed in forma pauperis was provided with the notice, along with a return envelope. Plaintiff was informed that if he did not either pay the fee or file an IFP application within thirty days the case would be dismissed. Because the time to respond has expired and no response has been received, this case is **DISMISSED** without prejudice. *See* Fed. R.Civ.P. 41(b). The clerk shall close this file.

**IT IS SO ORDERED.**

Dated: July 16, 2009.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE